

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

UNITED STATES OF AMERICA,)	
)	
Plaintiff,)	
)	Case No. 06-054M
v.)	
)	
FERNANDO MARTINEZ-LOPEZ,)	DETENTION ORDER
)	
Defendant.)	
_____)	

Offense charged:

Illegal Reentry After Deportation in violation of 8 U.S.C. § 1326(a).

Date of Detention Hearing: February 8, 2006.

The Court, having conducted a detention hearing pursuant to 18 U.S.C. § 3142(f), and based upon the factual findings and statement of reasons for detention hereafter set forth, finds that no condition or combination of conditions which defendant can meet will reasonably assure the appearance of defendant as required or the safety of the community.

FINDINGS OF FACT AND STATEMENT OF REASONS FOR DETENTION

(1) A detainer has been placed on defendant by the Bureau of Immigration and Customs Enforcement.

(2) Defendant was born in Mexico. There is no information available regarding any ties to this community, or to the Western District of Washington.

(3) Defendant has been previously deported to Mexico after removal proceedings on or about March 11, 2003.

(4) Defendant has failed to appear in Court as required on three separate occasions.

(5) Defendant has stipulated to detention, due to the immigration detainer lodged against him, but reserves the right to contest his continued detention if there is a change in circumstances.

IT IS THEREFORE ORDERED:


(1) Defendant shall be detained pending trial and committed to the custody of the Attorney General for confinement in a correction facility separate, to the extent practicable, from persons awaiting or serving sentences or being held in custody pending appeal;

(2) Defendant shall be afforded reasonable opportunity for private consultation with counsel;

(3) On order of a court of the United States or on request of an attorney for the government, the person in charge of the corrections facility in which defendant is confined shall deliver the defendant to a United States Marshal for the purpose of an appearance in connection with a court proceeding; and

(4) The Clerk shall direct copies of this Order to counsel for the United States, to counsel for the defendant, to the United States Marshal, and to the United States Pretrial Services Officer.

DATED this 7th day of February, 2006.


JAMES P. DONOHUE
United States Magistrate Judge